

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

FERNANDO AVALOS, ) CASE NO. C08-1281-RSM  
Petitioner, )  
v. ) ORDER OF DISMISSAL  
A. NEIL CLARK, Field Office Director, )  
U.S. Immigration and Customs Enforcement, )  
Respondent. )

The Court, having reviewed petitioner's Petition for Writ of Habeas Corpus, respondent's motion to dismiss, the Report and Recommendation of the Honorable Mary Alice Theiler, United States Magistrate Judge, any objections or responses to that, and the remaining record, finds and Orders as follows:

(1) The Court adopts the Report and Recommendation;

(2) Petitioner's Petition for Writ of Habeas Corpus, Dkt. 9, is DENIED, Respondent's Motion to Dismiss, Dkt. 14, is GRANTED, and this action is DISMISSED with prejudice; and

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**ORDER OF DISMISSAL  
PAGE -1**

01 (3) The Clerk is directed to send copies of this Order to the parties and to Judge  
02 Theiler.

03 DATED this 4<sup>th</sup> day of March, 2009.



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06 RICARDO S. MARTINEZ  
07 UNITED STATES DISTRICT JUDGE  
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